

**KENTUCKY BOARD OF LICENSURE FOR MASSAGE THERAPY
BOARD MEETING MINUTES**

October 23, 2007

A meeting of the Kentucky Board of Licensure for Massage Therapy was held at the Division of Occupations and Professions, Frankfort, KY on October 23, 2007.

MEMBERS PRESENT

Carmen Fowler, Board Chair
Lisa Bozarth, Board Vice-Chair
Sharon Wood – Board Secretary
Denise Logsdon
Theresa Crisler

OCCUPATIONS AND PROFESSIONS STAFF

Jeff Boler, Board Administrator

MEMBERS ABSENT

OTHERS

Cheryl Lalonde, Assistant Attorney General
Debbie Joplin, State AMTA
Marilyn Gossett, Sun Touch Massage School
Pam Jenkins, AMTA
Alicia Kleid, KY AMTA
Bill Booker, Lexington Healing Arts Academy

Call to Order

Carmen Fowler, Board Chair, called the meeting to order at 10:25 AM.

Approval of Minutes

Minutes of the September 25, 2007 meeting were presented for the Board's review. Ms. Wood made a motion to approve the minutes as presented. The motion, seconded by Ms. Logsdon, carried unanimously.

Financial Statement

The Board reviewed the financial statement for the month ending September 30, 2007, which indicated a cash balance of \$233,164.48. Ms. Crisler made a motion to approve the financial statement as presented. The motion, seconded by Ms. Bozarth, carried unanimously.

Licensure Status Report

The Board reviewed the licensure status report for the month of September which indicated 1829 active licenses, with 25 inactive licenses. It was also reported that there were fifty-nine (59) individuals whose licenses had expired in July 2007, and have failed to renew within the sixty (60) day grace period.

Chairperson's Report

Ms. Fowler reported to the Board that Ms. Stacy-Skaggs had resigned her position on the Board effective immediately.

Complaint Review Committee

(05-06) Pending

(05-07) Pending

(06-04) Committee recommendation is to send a "Cease and Desist" letter to the owner of this operation, and demand removal of all "massage" advertisements. Also, the administrator is to forward a copy of the complaint to the Florida Board of Massage Therapy.

(07-02) Investigation pending.

(07-03) Committee recommendation is to send a "Cease and Desist" letter to the owner of the operation, and demand removal of all "massage advertisements."

(07-04) Committee recommendation is close the complaint.

(07-05) Pending response

(07-06) Committee recommendation is to send a "Cease an Desist" letter to the corporate officer.

(07-07) Investigation pending

(07-08) Committee recommendation is to close the complaint.

(07-09) Committee recommendation is to send a "Cease and Desist" letter.

Ms. Wood made a motion to approve the complaint committee report as presented. The motion, seconded by Ms. Bozarth, carried unanimously.

Education Committee Report

The Education Committee recommended the approval of "Fibromyalgia: What Health Professionals Need to Know", offered by Institute for Advanced Therapeutics, for 4.0 hours.

The Education Committee recommended the approval of "Infection Control for the Massage Therapist, offered by Institute for Advanced Therapeutics, for 4.0 hours.

The Education Committee recommended the approval of "OSHA Compliance for the Health Care Professional", offered by Institute for Advanced Therapeutics, for 6.0 hours.

The Education Committee recommended the approval of "Substance Abuse: What Health Care Professionals Need to Know", offered by Institute for Advanced Therapeutics, for 4.0 hours.

Ms. Crisler made a motion to approve the recommendations of the applications committee. The motion, seconded by Ms. Logsdon, carried unanimously.

Applications Committee Report

The applications committee recommended the approval nineteen (19) applications for licensure. Ms. Crisler made a motion to approve the committee report as presented. The motion, seconded by Ms. Logsdon, carried unanimously.

Old Business

The Board Administrator reported to the Board that the new procedure for receiving test scores electronically from the National Certification Board for Therapeutic Massage & Bodywork (NCBTMB) will not start until January 1, 2008 due to a change in the testing providers.

New Business

The Board listened to a presentation from Debra Persinger, concerning the Federation of State Massage Therapy Boards (FSMTB). After much discussion, Lisa Bozarth made a motion to join the Federation. The motion, seconded by Ms. Logsdon, carried.

Lisa Bozarth made a motion that the board begin investigating the possibility of adding the examination administered by the Federation of State Massage Therapy Boards to the list of approved national examinations. The motion, seconded by Ms. Logsdon, carried unanimously.

The Board discussed the annual Federation of Regulatory Boards (FARB) convention. Ms. Crisler made a motion to approve all travel costs for all board members. The motion, seconded by Ms. Wood, carried.

The Board reviewed a draft of a Louisville City ordinance that would regulate massage facilities. Ms. Crisler made a motion to appoint Ms. Logsdon as the representative for the Board. The motion, seconded by Ms. Bozarth, carried unanimously. Ms. Logsdon abstained.

The Board reviewed correspondence from Bill Booker, from the Lexington Healing Arts Academy concerning KRS 309.363 (5) (c), concerning the qualifications of instructional staff at approved massage therapy programs of instruction. After discussion, Ms. Logsdon made a motion to enter into discussion with the Kentucky Chapter of the American Massage Therapy Association, seeking survey criteria on the question of instructor qualifications in practical courses taught by non-licensed massage therapists. The motion, seconded by Ms. Wood, carried unanimously.

The Board reviewed its complaint procedures for dealing with non-licensed therapists. It was noted that if evidence leads the Board Administrator to believing that an individual is practicing without a license, a "Cease and Desist" letter will be sent, and will be assigned a complaint number for tracking purposes. The committee will then review the case at its next regularly scheduled meeting.

The Board reviewed its limitations on penalties, and it was noted that per KRS 309.362 (1), a five-hundred dollar (\$500) limitation exists on all administrative fines.

Travel and Per-Diem

Ms. Logsdon made a motion to approve the Travel and Per-Diem for today's meeting. The motion, seconded by Ms. Bozarth, carried.

Ms. Logsdon made a motion to adjourn the meeting. The motion, seconded by Ms. Bozarth, carried.

The meeting adjourned at 1:25 PM. The next scheduled meeting of the Kentucky Board of Licensure for Massage Therapy is scheduled for December 18, 2007 at 9:30 AM.

Approved by the Board,

A handwritten signature in cursive script that reads "Carmen S. Fowler". The signature is written in black ink and is positioned above a horizontal line.

Carmen S. Fowler, Board Chair